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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,077	10/04/2005	Jeroom Frans Leurs	NL 030350	6549
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EXAMINER WILLIAMS, AARON				
ART UNIT 2889		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,077

Applicant(s)

LEURS, JEROOM FRANS

Examiner

Aaron Williams

Art Unit

2889

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4 - 10 is/are pending in the application.
4a) Of the above claim(s) 3 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2, 4 - 10 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 9, 2008 has been entered.

Claim Objections

2. Claim 4 is objected to because of the following informalities: It is dependent on claim 3 which has been cancelled. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 1 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Grant Publication 2002/0097194 to Uchida et al., herein refer to Uchida, and further in view of US Patent Grant Publication 2004/0212300 to Chao et al., herein refer to Chao.

Regarding claim 1 Uchida discloses in figures 1 - 3, **a two-sided light emitting device** (100, electronic apparatus) **comprising a first light emitting device** (10, organic EL Panel refer to paragraph [0048]) **having a first light emitting surface, a second light emitting device** (20, liquid crystal panel to paragraph [0057]) **having a second light emitting surface, a first substrate** (refer to paragraph [0056]) **on which said first light emitting device is formed, said first substrate being light-transmissive for light emitted by the first light emitting device** (refer to paragraphs [0049], [0052], [0056]), **a second substrate on which said second light emitting device is formed, said second substrate being light-transmissive for light emitted by the second light emitting device** (refer to paragraph [0057]) **and fastening means fastening the first substrate to the second substrate wherein the first and second substrate are arranged parallel and spaced to one another** (shown in figures 1 and 2), **the first light emitting device is, with the first light emitting surface facing the first substrate, provided on a side of the first substrate facing the second substrate providing the two- sided light emitting device with a first light emission side and the second light emitting device is, with the second light emitting**

surface facing the second substrate, provided on a side of the second substrate facing the first substrate providing the two-sided light emitting device with a second light emission side opposite the first. Refer to paragraphs [0048] – [0059] for full description of prior art.

However fails to teach **wherein the fastening means is a perimeter seal providing, in co-operation with the first and second substrate, a closed housing for the first and second light emitting device.**

Chao teaches wherein the fastening means is a perimeter seal (figure 1, UV-Curing epoxy (150), refer to paragraph [0013]) providing, in co-operation with the first and second substrate a closed housing for the first and second light emitting device. Motivation to combine is to reduce the weight and the size of display device therefore lowering manufacturing cost as stated in paragraph [0006].

Therefore it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to make Uchida's fastening means with Chao's UV-curing epoxy to reduce the weight and the size of display device therefore lowering manufacturing cost.

Regarding Claim 2, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 1**, Uchida further discloses **wherein at least the first or second light emitting device is an organic, low molecular or polymer, electroluminescent device.** Refer to paragraphs [0055], [0057] and [0059] where it is stated that both sides of Uchida's device that meet the limitations of this claim.

Regarding Claim 4, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 3, Chao further discloses wherein the perimeter seal is formed of organic adhesive material (UV-curing resin).**

Regarding Claim 5, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 1, Uchida further discloses wherein the first and/or second substrate comprises a sheet of glass or, in combination with one or more barrier layers impervious to water and/or oxygen, synthetic resin. Refer to paragraph [0056].**

Regarding Claim 6, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 1, Chao further discloses wherein the first and/or second substrate is an integral part of the first and/or the second light emitting device respectively. Refer to figures 1 and 2 showing how the two substrates are held together with epoxy (150).**

Regarding Claim 7, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 1, Uchida further discloses wherein at least the first or the second light emitting device is a display device. Refer to paragraph [0048] where (10) is explained to be a full color display.**

Regarding Claim 8, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed in claim 7**, Uchida further discloses **wherein the first light emitting device is a stand-by display and the second light emitting device is a display-on-demand display**. Refer to paragraph [0093] where the use of each side of the device is discussed. The Examiner notes that the limitation in claim 8, "wherein the first light emitting device is a stand-by display and the second light emitting device is a display-on-demand display" is an intended use type limitation. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention over the prior art. If the prior art structure is capable of performing the intended use then it meets the claim.

Regarding Claim 9, Uchida discloses Chao teaches, **a mobile phone having a two-sided light emitting device as claimed in claim 1**. Refer Uchida paragraph [0011] where Uchida's mobile electronic apparatus is disclosed to be a mobile phone.

Regarding Claim 10, Uchida discloses Chao teaches, **a two-sided light emitting device as claimed claim 1 wherein at least the first or the second light emitting device is a lighting device**. It is obvious that an EL display to can be a lighting device.

Response to Arguments

6. Applicant's arguments with respect to claims 1 – 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Williams whose telephone number is (571) 270-5279. The examiner can normally be reached on Monday thru Friday 7:00 to 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Williams/
Examiner, Art Unit 2889

/Karabi Guharay/
Primary Examiner, Art Unit 2889